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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,542	10/05/2001	Heikki Suuronen	367.40268X00	4355
20457	7590	08/30/2005	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2635	

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,542

Applicant(s)

SUURONEN ET AL.

Examiner

Nam V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-10, 12-15, 17-20, 22-32 and 36-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 12-15, 17-20, 22-32 and 36-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/12/05 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This communication is in response to applicant's response to an Amendment which is filed June 16, 2005 by a request for continued examination.

An amendment to the claims 1, 5, 17, 21, 33-35, 67 and 70-72 have been entered and made of record.

Claim 5, 21, 33-35 and 72 are cancelled.

Claims 1-4, 6-10, 12-15 and 17-20, 22-32, 36-71 are pending.

Response to Arguments

Applicant's amendment and argument with respect to the pending claims 1-4, 6-10, 12-15 and 17-20, 22-32, 36-71, filed June 16, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

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Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-4, 6-10, 12-15, 17-20, 22, 25-27, 29-32, 36-44, 47-51, 54-55, 67-68 and 70-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Suman (US# 5,525,977).

Referring to claims 1, 17, 67 and 70-71, Miller et al. disclose a method and an arrangement for configuring a device (28) (i.e. a vehicle seat) of a system (20) (i.e. a vehicle based system) by transferring control information (i.e. a signal) defining the user's preferences (i.e. a driver's individual selections) from a portable controller (35) (i.e. a portable key fob) thereto (column 2 lines 6 to 16; see Figures 1 to 3), wherein the portable controller (35) (i.e. a portable key fob) comprises:

input means (i.e. an actuation or set button) for receiving the control information defining the user's preferences (i.e. a driver's individual selections) for configuring the device (28) (i.e. a vehicle seat) (column 3 lines 57 to 67; see Figure 1A);

memory circuitry (i.e. a memory on key fob 35) for arranged to store and retrieve the control information defining the user's preferences (i.e. an individual preferences) for configuring the device (28) (column 4 lines 1 to 20; see Figure 1A); and

output means for transferring to the system the retrieved control information defining the user's preferences for configuring the device (28) in response to the portable controller (35) entering the environment of the system (20) (column 2 lines 6 to 22; column 4 lines 1 to 32; see Figure 1A); and

wherein the system (20) (i.e. a vehicle based system) (see Figures 1 to 3) comprises:

control means (26) (i.e. a controller of the vehicle system 20) arranged to configure the device (28) in dependence upon the transferred control information (i.e. a control signal) (3 lines 57 to column 4 line 32; see Figures 1-3).

However, Miller et al. did not explicitly disclose means for coupling with the output means of the portable controller to transfer the retrieved control information defining the user's preferences to the system.

In the same field of endeavor of a portable remote control vehicle system, Suman teach that means (24) (i.e. a receiver of a vehicle 10) for coupling with the output means (i.e. transmitter of a key fob 22) of the portable controller (22) to transfer the retrieved control information defining the user's preferences (T) (i.e. a radio frequency signal) to the system (10) (column 2 lines 54 to column 3 line 17; see Figures 1 to 4) in order to communicate option control information which effects desired operation of vehicle accessories.

One of ordinary skilled in the art recognizes using a receiver of a vehicle to communicate a signal with a transmitter of a key fob of Suman with a transmitter that stores desired settings for at least some parameters of Miller because Miller suggests it is desired to configure a key fob to transfer signal to a vehicle based system (column 3 lines 22 to column 4 line 32) and Suman teaches that a receiver of a vehicle for coupling with transmitter of a key fob to transfer a radio frequency signal to the vehicle system (column 2 lines 54 to column 3 line 17; see Figures 1 to 4) in order personalization vehicle system according to their preferences. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a receiver of a vehicle to communicate a signal with a transmitter of a key fob of Suman with a transmitter that stores desired settings for at least some parameters of Miller with the motivation

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for doing so would have been to transfer stored desired settings in order to have a personalization vehicle system.

Referring to claim 2, Miller et al. in view of Suman disclose an arrangement as claimed in claim 1, Miller et al. disclose wherein the system (20) comprises a plurality of devices (28 to 34) and the control means (26) (i.e. a control) is arranged to configure the devices (28 to 34) in dependence upon transferred control information (a signal) (column 2 lines 6 to 22; column 3 lines 57 to 67; see Figure 1A).

Referring to claims 3-4, 19 and 29, Miller et al. in view of Suman disclose an arrangement and controller as claimed in Claims 1 and 18, Miller et al. disclose wherein the output means is arranged to transfer to the system (20) retrieved control information (i.e. signals) for the devices (28 to 34) of the system (20) (column 2 lines 6 to 22; column 3 lines 57 to 67; see Figure 1A).

Referring to claims 6, 22, 30-32, 36-39 and 68, Miller et al. in view of Suman disclose an arrangement, a method and a controller as claimed in Claims 1-4, 17-21 and 67, Miller et al. disclose wherein the memory circuitry (i.e. a memory of a key fob 35) stores and retrieves information identifying a particular system (20) and the control information only configures the devices (28 to 34) of that particular system (20) (column 2 lines 6 to 22; column 3 lines 57 to 67; see Figure 1A).

Referring to claim 7, Miller et al. in view of Suman disclose an arrangement as claimed in Claim 6, Miller et al. disclose wherein the device or devices (28-34) are security devices (column 3 lines 57 to 67; see Figure 1A).

Referring to claim 8, Miller et al. in view of Suman disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the system (20) is a vehicle control system (column 3 lines 22 to 50; see Figure 1A).

Referring to claim 9, Miller et al. in view of Suman disclose an arrangement as claimed in Claim 8, Miller et al. disclose wherein the device or devices (28-34) are selected from devices including an alarm, an immobilizer, a seat positioner, a mirror positioner, door/boot locks, temperature/ventilation controller, an engine management device, and servicing interface device (column 3 lines 37 to 50; column 4 line 1 to 20; see Figures 1-3).

Referring to claim 10, Miller et al. in view of Suman disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the controller (35) (i.e. a key fob) is removable from the environment of the system (20) (column 3 lines 57 to 67; see Figure 1A).

Referring to claim 12, Miller et al. in view of Suman disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the controller (35) is a handportable radio device (i.e. a key fob) (column 3 lines 57 to 67; see Figure 1A).

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Referring to claims 13, 27, 47-51 and 54-55, Miller et al. in view of Suman disclose a method and a controller as claimed in Claims 1, 17-22 and 25-26, Miller et al. disclose wherein said output means comprises an electrical interface of IR interface or radio interface (column 4 lines 23 to 32; see Figures 1-4).

Referring to claim 14, Miller et al. in view of Suman disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the device (28-34) is electronically controlled by the system (20) (column 3 lines 37 to 50; see Figures 1 to 3).

Referring to claim 15, Miller et al. in view of Suman disclose an arrangement as claimed in Claim 1, Suman discloses wherein the system (10) comprises a processor (30) and memory (41') (column 3 lines 7 to 17; see Figure 2), wherein the memory (41') stores the transferred information and the processor (30) controls the operation of the device (39), reconfiguring it in dependence upon the received control information (i.e. control signals) (column 3 lines 7 to column 4 line 34; see Figures 1-4).

Referring to claim 18, Miller et al. in view of Suman disclose a controller as claimed in Claim 17, Miller et al. disclose wherein memory circuitry (i.e. memory) is arranged to store control information (i.e. an information signal) for configuring a plurality of devices (28-34) of the system (10) (column 4 lines 1 to 20; see Figures 1-4).

Referring to claim 20, Miller et al. in view of Suman disclose a controller as claimed in Claim 18, Suman discloses wherein the outputs means (i.e. transmitter of a key fob 22) transfers to the system (10) retrieved control information (i.e. control signals) for a selection of devices (39) of the system (10) defined by the user (column 2 line 54 to column 3 line 17; see Figures 1-4).

Referring to claims 25-26 and 40-44, Miller et al. in view of Suman disclose a method and a controller as claimed in Claims 17-22, Suman discloses wherein said output means (i.e. transmitter of a key fob 22) comprises means for establishing a bi-directional link with the system (10) and for performing a handshaking procedure with the system (10) (column 2 line 54 to column 3 line 17; see Figures 1-4).

Claims 23-24, 45-46, 52-53, 61-62 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Suman (US# 5,525,977) as applied to claims 22 and 67, and in further view of Farleigh (US# 6,208,388).

Referring to claims 23-24 and 69, Miller et al. in view of Suman disclose a controller as claimed in claims 22 and 67, however, Miller et al. in view of Suman did not explicitly disclose wherein the memory circuitry comprises a look-up table for associating the identity of the system and its devices with the respective device control information.

In the same field of endeavor of remote control program system, Farleigh teaches that a memory circuitry (44) comprises a look-up table for associating the identity of the system (10)

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(i.e. a channel responsive television input signal interface circuit) and its devices (14) (i.e. a television) with the respective device control information (i.e. broadcast signals) (column 5 lines 11 to 39; column 37 to 64; see Figures 2B and 5) in order to store user selection program.

One of ordinary skilled in the art recognizes using a look-up table memory for storing a user channel selection program of Farleigh in a memory to stores information relating to programmed code sequences to be performed by controller of a remote control system of Miller et al. in view of Suman because Miller et al. suggests it is desired to program the key fob used to select a function which the controlled appliance should be operated (column 4 lines 1 to 20) and Farleigh teaches that using a look-up table memory to store associating the identity of a channel responsive television input signal interface circuit (column 5 lines 11 to 39) in order to reduce time for selection of the same program. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a look-up table memory for storing a user channel selection program of Farleigh in a memory to stores information relating to programmed code sequences to be performed by controller of a remote control system of Miller et al. in view of Suman with the motivation for doing so would have been to provide controller to select a controlled program quickly in a remote and programmable control system.

Referring to claims 45-46, 52-53 and 61-62, Miller et al. in view of Suman and in further view of Farleigh discloses a controller as claimed in Claims 23-24, the claims 45-46, 52-53 and 61-62 same in that the claims 25-28 already addressed above therefore claims 45-46, 52-53 and 61-62 are also rejected for the same reasons given with respect to claims 25-28.

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Claims 28, 56-60 and 63-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Suman (US# 5,525,977) as applied to Claims 17-22 and 25-27, and in further view of Simon et al. (US# 5,937,065).

Referring to Claims 28, 56-60 and 63-65, Miller et al. in view of Suman disclose a controller as claimed in Claims 17-22 and 25-27, however, Miller et al. in view of Suman did not explicitly disclose wherein the power to operate said controller is provided by the system to which control information is transferred.

In the same field of endeavor of remote control vehicle system, Simon et al. teach that a the power to operate said controller (12) (i.e. a remote control) is provided by the system (14) (i.e. a vehicle control circuit) to which control information is transferred (column 4 line 60 to column 5 line 2; see Figures 1 and 3-4) in order to avoid using a battery.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize to use a remote control device derived power from received RF signal energy of Simon et al. with a configurable remote control key fob of Miller et al. in view of Suman because using power derived from received RF signal energy would improve the reliable communication that has been shown to be desirable in the remote control device of Miller et al. in view of Suman.

Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Suman (US# 5,525,977) as applied to claim 17, and in further view of Grube et al. (US# 5,201,067).

Referring to claim 66, Miller et al. in view of Suman disclose a controller as claimed in claim 17, however, Miller et al. in view of Suman did not explicitly disclose wherein the portable controller comprises a mobile phone.

In the same field of endeavor of remote control system, Grube et al. teaches that a portable controller (100) (i.e. a personal communications device) comprises a mobile phone (i.e. cellular phone) (column 3 line 48 to column 4 line 8; see Figures 1-2) in order to facilitate remote control of a remote controlled device.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a cellular telephone to transmit control signals of Grube et al. with a configurable remote control key fob of Miller et al. in view of Suman because using a personal cellular telephone to transmit control signals would improve the reliable communication and increase effective service that has been shown to be desirable in the remote control device of Miller et al. in view of Suman.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sanders et al. (US# 4,754,255) disclose a user identifying vehicle control and security device.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen
August 23, 2005



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